

**Introduced by Committee on Elections and Reapportionment
(Senators Perata (Chair), Escutia, and Murray)**

February 19, 2004

An act to amend Sections 17 and 2124 of the Elections Code, relating to voting.

LEGISLATIVE COUNSEL'S DIGEST

SB 1577, as introduced, Committee on Elections and Reapportionment. Elections: voting.

Existing law requires the Secretary of State to establish and maintain administrative complaint procedures, pursuant to the requirements of the federal Help America Vote Act of 2002.

This bill would prohibit the Secretary of State from establishing a requirement that the administrative remedies provided in the complaint procedures be exhausted in order to pursue any other remedies provided by state or federal law.

Existing law requires the Secretary of State to adopt, by regulation, uniform standards for proof of residency to apply in all instances where voters and new registrants are required by law to prove residency.

This bill would, instead, require the Secretary of State to adopt uniform and nondiscriminatory standards for meeting the identification requirements of the federal Help America Vote Act of 2002.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17 of the Elections Code is amended to
2 read:

17. The Secretary of State shall establish and maintain administrative complaint procedures, pursuant to the requirements of ~~Section 402 of the Help America Vote Act of 2002 (P.L. 107-252)~~ (42 U.S.C. Sec. 15512), in order to remedy grievances in the administration of elections. *The Secretary of State may not require that the administrative remedies provided in the complaint procedures established pursuant to this section be exhausted in order to pursue any other remedies provided by state or federal law.*

SEC. 2. Section 2124 of the Elections Code is amended to read:

2124. The Secretary of State shall, ~~by regulation,~~ adopt uniform *and nondiscriminatory* standards for ~~proof of residency,~~ *which shall apply in all instances where voters and new registrants are required by law to prove residency meeting the identification requirements of the Help America Vote Act of 2002 (42 U.S.C. Sec. 15483(b)).*

